

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LISA PRINCE

Plaintiff,

Civil Action No.: 25-cv-3679

**ANSWER TO AMENDED
COMPLAINT**

v.

TIVOLI BI LLC,
STELLAR MANAGEMENT,
CULLEN & ASSOCIATES, P.C. and
KEVIN CULLEN

Defendants.

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Defendants Cullen & Associates, P.C. and Kevin Cullen (“Cullen Defendants”) by their attorneys, Kaufman Dolowich, LLP, hereby respond to Plaintiff’s Amended Complaint as follows:

1. The Cullen Defendants deny the allegations contained in paragraph 1 of the Amended Complaint.

2. The Cullen Defendants state that paragraph 2 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

3. The Cullen Defendants deny the allegations contained paragraph 3 of the Amended Complaint.

4. The Cullen Defendants deny the allegations contained in paragraph 4 of the Amended Complaint.

5. The Cullen Defendnats deny the allegations contained in paragraph 5 of the Amended Complaint.

6. The Cullen Defendants deny the allegations contained in paragraph 6 of the Amended Complaint.

7. The Cullen Defendants deny the allegations contained in paragraph 7 of the Amended Complaint.

8. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the Amended Complaint.

9. The Cullen Defendants do not dispute this Court's jurisdiction as set forth in paragraph 9 of the Amended Complaint.

10. The Cullen Defendants deny the validity of the state law claims asserted in paragraph 10 of the Amended Complaint.

11. The Cullen Defendants deny that declaratory relief is available as alleged in paragraph 11 of the Amended Complaint.

12. The Cullen Defendants do not dispute the venue as alleged in paragraph 12 of the Amended Complaint.

13. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 13 of the Amended Complaint.

14. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 14 of the Amended Complaint.

15. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 15 of the Amended Complaint.

16. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 16 of the Amended Complaint.

17. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 17 of the Amended Complaint.

18. The Cullen Defendants admit the allegations contained in paragraph 18 of the Amended Complaint except deny that this suit arises out of its business.

19. The Cullen Defendants state that paragraph 19 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

20. The Cullen Defendants admit the allegations contained in paragraph 20 of the Amended Complaint.

21. The Cullen Defendants state that paragraph 21 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

22. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 22 of the Amended Complaint.

23. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 23 of the Amended Complaint.

24. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 24 of the Amended Complaint.

25. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 25 of the Amended Complaint.

26. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 26 of the Amended Complaint.

27. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 27 of the Amended Complaint.

28. The Cullen Defendants deny the allegations contained in paragraph 28 of the Amended Complaint.

29. The Cullen Defendants deny the allegations contained in paragraph 29 of the Amended Complaint.

30. The Cullen Defendants deny the allegations contained in paragraph 30 of the Amended Complaint.

31. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 31 of the Amended Complaint.

32. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 32 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

33. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 33 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

34. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 34 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

35. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 35 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

36. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 36 of the Amended Complaint.

37. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 37 of the Amended Complaint.

38. The Cullen Defendants deny the allegations contained in paragraph 38 of the Amended Complaint.

39. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 39 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

40. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 40 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

41. The Cullen Defendants deny the allegations contained in paragraph 41 of the Amended Complaint.

42. The Cullen Defendants deny the allegations contained in paragraph 42 of the Amended Complaint.

43. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 43 of the Amended Complaint.

44. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 44 of the Amended Complaint.

45. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 45 of the Amended Complaint.

46. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 46 of the Amended Complaint.

47. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 47 of the Amended Complaint.

48. The Cullen Defendants deny the allegations contained in paragraph 48 of the Amended Complaint.

49. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 49 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

50. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 50 of the Amended Complaint.

51. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 51 of the Amended Complaint.

52. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 52 of the Amended Complaint.

53. The Cullen Defendants deny the allegations contained in paragraph 53 of the Amended Complaint.

54. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 54 of the Amended Complaint.

55. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 55 of the Amended Complaint.

56. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 56 of the Amended Complaint.

57. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 57 of the Amended Complaint.

58. The Cullen Defendants deny the allegations contained in paragraph 58 of the Amended Complaint.

59. The Cullen Defendants deny the allegations contained in paragraph 59 of the Amended Complaint.

60. The Cullen Defendants deny the allegations contained in paragraph 60 of the Amended Complaint.

61. The Cullen Defendants deny the allegations contained in paragraph 61 of the Amended Complaint.

62. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 62 of the Amended Complaint.

63. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 63 of the Amended Complaint.

64. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 64 of the Amended Complaint.

65. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 65 of the Amended Complaint.

66. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 66 of the Amended Complaint.

67. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 67 of the Amended Complaint.

68. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 68 of the Amended Complaint.

69. The Cullen Defendants deny the allegations contained in paragraph 69 of the Amended Complaint.

70. The Cullen Defendants deny the allegations contained in paragraph 70 of the Amended Complaint.

71. The Cullen Defendants deny the allegations contained in paragraph 71 of the Amended Complaint.

72. The Cullen Defendants deny the allegations contained in paragraph 72 of the Amended Complaint.

73. The Cullen Defendants deny the allegations contained in paragraph 73 of the Amended Complaint.

74. The Cullen Defendants deny the allegations contained in paragraph 74 of the Amended Complaint.

75. The Cullen Defendants deny the allegations contained in paragraph 75 of the Amended Complaint.

76. The Cullen Defendants state that paragraph 76 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

77. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 77 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

78. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 78 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

79. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 79 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

80. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 80 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

81. The Cullen Defendants deny the allegations contained in paragraph 81 of the Amended Complaint.

82. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 82 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

83. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 83 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

84. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 84 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

85. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 85 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

86. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 86 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

87. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 87 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

88. The Cullen Defendants deny the allegations contained in paragraph 88 of the Amended Complaint.

89. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 89 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

90. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 90 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

91. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 91 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

92. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 92 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

93. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 93 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

94. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 94 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

95. The Cullen Defendants deny the allegations contained in paragraph 95 of the Amended Complaint.

96. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 96 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

97. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 97 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

98. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 98 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

99. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 99 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

100. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 100 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

101. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 101 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

102. The Cullen Defendants deny the allegations contained in paragraph 102 of the Amended Complaint.

103. The Cullen Defendants neither admit nor deny the allegations contained in paragraph 103 of the Amended Complaint and refer the Court to the document referenced therein for its content and wording.

AS AND FOR AN ANSWER TO THE FIRST CLAIM

104. The Cullen Defendants repeat, reallege, and reaffirm their responses to paragraphs 1 to 103 of the Amended Complaint as if set forth fully herein.

105. The Cullen Defendants state that paragraph 105 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

106. The Cullen Defendants state that paragraph 106 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

107. The Cullen Defendants state that paragraph 107 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations

108. The Cullen Defendants state that paragraph 108 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

109. The Cullen Defendants state that paragraph 109 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

110. The Cullen Defendants deny the allegations contained in paragraph 110 of the Amended Complaint.

111. The Cullen Defendants deny the allegations contained in paragraph 111 of the Amended Complaint.

112. The Cullen Defendants deny the allegations contained in paragraph 112 of the Amended Complaint.

113. The Cullen Defendants deny the allegations contained in paragraph 113 of the Amended Complaint.

114. The Cullen Defendants deny the allegations contained in paragraph 114 of the Amended Complaint.

115. The Cullen Defendants deny the allegations contained in paragraph 115 of the Amended Complaint.

AS AND FOR AN ANSWER TO THE SECOND CLAIM

116. The Cullen Defendants repeat, reallege, and reaffirm their responses to paragraphs 1 to 115 of the Amended Complaint as if set forth fully herein.

117. The Cullen Defendants state that paragraph 117 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

118. The Cullen Defendants deny the allegations contained in paragraph 118 of the Amended Complaint.

119. The Cullen Defendants deny the allegations contained in paragraph 119 of the Amended Complaint.

120. The Cullen Defendants deny the allegations contained in paragraph 120 of the Amended Complaint.

121. The Cullen Defendants deny the allegations contained in paragraph 121 of the Amended Complaint.

122. The Cullen Defendants deny the allegations contained in paragraph 122 of the Amended Complaint.

123. The Cullen Defendants deny the allegations contained in paragraph 123 of the Amended Complaint.

124. The Cullen Defendants deny the allegations contained in paragraph 124 of the Amended Complaint.

125. The Cullen Defendants deny the allegations contained in paragraph 125 of the Amended Complaint.

126. The Cullen Defendants deny the allegations contained in paragraph 126 of the Amended Complaint.

127. The Cullen Defendants deny the allegations contained in paragraph 127 of the Amended Complaint.

128. The Cullen Defendants deny the allegations contained in paragraph 128 of the Amended Complaint.

AS AND FOR AN ANSWER TO THE THIRD CLAIM

129. The Cullen Defendants repeat, reallege, and reaffirm their responses to paragraphs 1 to 128 of the Amended Complaint as if set forth fully herein.

130. The Cullen Defendants state that paragraph 130 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

131. The Cullen Defendants state that paragraph 131 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

132. The Cullen Defendants deny the allegations contained in paragraph 132 of the Amended Complaint.

AS AND FOR AN ANSWER TO THE FOURTH CLAIM

133. The Cullen Defendants repeat, reallege, and reaffirm their responses to paragraphs 1 to 132 of the Amended Complaint as if set forth fully herein.

134. The Cullen Defendants deny the allegations contained in paragraph 134 of the Amended Complaint.

135. The Cullen Defendants deny the allegations contained in paragraph 135 of the Amended Complaint.

136. The Cullen Defendants deny the allegations contained in paragraph 136 of the Amended Complaint.

137. The Cullen Defendants deny the allegations contained in paragraph 137 of the Amended Complaint.

138. The Cullen Defendants deny the allegations contained in paragraph 138 of the Amended Complaint.

139. The Cullen Defendants state that paragraph 139 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

140. The Cullen Defendants state that paragraph 140 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

141. The Cullen Defendants deny the allegations contained in paragraph 141 of the Amended Complaint.

142. The Cullen Defendants deny the allegations contained in paragraph 142 of the Amended Complaint.

143. The Cullen Defendants deny the allegations contained in paragraph 143 of the Amended Complaint.

AS AND FOR AN ANSWER TO THE FIFTH CLAIM

144. The Cullen Defendants repeat, reallege, and reaffirm their responses to paragraphs 1 to 143 of the Amended Complaint as if set forth fully herein.

145. The Cullen Defendants state that paragraph 145 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

146. The Cullen Defendants state that paragraph 146 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

147. The Cullen Defendants state that paragraph 147 of the Amended Complaint contains a legal conclusion and therefore a response is not required. If a response is required, the Cullen Defendants deny the allegations contained in this paragraph.

148. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 148 of the Amended Complaint.

149. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 149 of the Amended Complaint.

150. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 150 of the Amended Complaint.

151. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 151 of the Amended Complaint.

152. The Cullen Defendants deny having knowledge or information sufficient to form a belief as to the allegations contained in paragraph 152 of the Amended Complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

153. Plaintiff has not suffered concrete injuries in fact sufficient to confer standing under Article III.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

154. Plaintiff's claims are barred, in whole or in part, under the applicable statutes of limitation.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

155. Plaintiff's claims are barred, in whole or in part, by the doctrines of release and waiver.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

156. The Amended Complaint fails to state a claim upon which relief can be granted.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

157. Any alleged violation of the FDCPA did not result in any actual harm and/or damages.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

158. The Amended Complaint is barred, in whole or in part, by *res judicata* and collateral estoppel.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE

159. The Amended Complaint is barred, in whole or in part, by accord and satisfaction.

WHEREFORE, the Cullen Defendants respectfully pray for judgment as follows:

- a. Dismissing the Amended Complaint with prejudice; and
- b. Granting the Cullen Defendants such other and further relief as this Court deems just, equitable and proper.

Dated: Woodbury, New York
October 22, 2025

KAUFMAN DOLOWICH LLP

**Brett A.
Scher**

By:

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